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**From:** Pam Grubaugh-Littig  
**To:** Delynn Fielding  
**Date:** 5/11/2007 12:45 PM  
**Subject:** RE: Wellington Information on Post mining Land Use Changes/Permit Transfer/Phase III Bond Release

**CC:** Brad Cahoon (bcagoon@swlaw.com); Cliff Yeckes; Mary Ann Wright; Wayne...  
Mr. Fielding - The county could do all of the changes for NEICO now to change the postmining land use, but until the permit is transferred - NEICO would need to submit the permit change.

The permit transfer application could be made at this time as well. Currently, the reclamation liability at Wellington is \$4,904,000.

Please let me know if you have any other questions.

Pam

>>> Delynn Fielding <[Delynn.Fielding@carbon.utah.gov](mailto:Delynn.Fielding@carbon.utah.gov)> 5/11/2007 12:38 PM >>>  
Pam, thank you for the forms.

NEICO is not interested in doing anything on the site except getting out of it. My question is not the usual process, but why can't we make the transfer AND while doing so change the post mining use?

Mr. Delynn Fielding

Director

Carbon Economic Development

120 East Main Street

Price, Utah 84513

435.636.3295

Cell 435.650.1938

[delynn.fielding@carbon.utah.gov](mailto:delynn.fielding@carbon.utah.gov)

-----Original Message-----

From: Pam Grubaugh-Littig [<mailto:pamgrubaughlittig@utah.gov>]

Sent: May 11, 2007 12:18 PM

To: Delynn Fielding

Cc: Brad Cahoon ([bcagoon@swlaw.com](mailto:bcagoon@swlaw.com)); Mary Ann Wright; Wayne Hedberg; Cliff Yeckes

Subject: RE: Wellington Information on Post mining Land Use Changes/Permit Transfer/Phase III Bond Release

Mr. Fielding -

I've attached copies of the C1/C2 forms. NEICO is currently the permittee for the Wellington

Facility and needs to submit the change in the postmining land use and bond release application at this point in time. If the permit is transferred to another party (through the permit transfer process), the new permittee would be responsible for amending the application to change the postmining land use and bond release.

Hope that helps. Please let me know if you have any other questions.

Pam

>>> Delynn Fielding <[Delynn.Fielding@carbon.utah.gov](mailto:Delynn.Fielding@carbon.utah.gov)> 5/11/2007 11:44 AM >>>

Pam, thank you for sending the information yesterday. I have some questions and requests.

1. I am not able to find on the DOGM web site 'the appropriate C1 and C2 forms' referenced in paragraph 9. Do they have a new name or can you email them to me?

2. While Carbon County is now taking the lead in obtaining the location from NEICO and requesting PMLU changes at the site, it is our intention to convey all or part of the land to a third party(s) for industrial uses. There are several businesses expressing interest in the site, but nothing is being negotiated with potential developers until we get a final letter of understanding from NEICO. Our attorney Brad Cahoon, at Snell and Wilmer, is working on that now. When that letter of intent is finalized in the next few weeks we will get serious with potential developers.

At this point, we anticipate one company removing the coal fines from the pond area. We anticipate one or more companies developing the now partially reclaimed area on the opposite side of the river and rail lines for industrial development. At the same time, it may be just one company that develops the entire 1,534+ acres. In all cases, reclamation will be completed to the point allowing industrial and commercial usages.

It appears we are able to fulfill all the items in paragraphs 1-8 of the PMLU guide you provided. We are asking for the process to proceed with the understanding that the final permit holder will be acceptable to both NEICO and DOGM. Having the necessary procedures completed or at least in process, potentially adds value to the site and enhances our ability to get it to a more productive usage for Carbon County.

Thank you for your favorable consideration and the two forms.

Mr. Delynn Fielding

Director

Carbon Economic Development

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Price, Utah 84513

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Cell 435.650.1938

[delynn.fielding@carbon.utah.gov](mailto:delynn.fielding@carbon.utah.gov)

-----Original Message-----

From: Pam Grubaugh-Littig [<mailto:pamgrubaughlittig@utah.gov>]

Sent: May 10, 2007 4:30 PM

To: Delynn Fielding

Cc: Mary Ann Wright; Wayne Hedberg

Subject: Wellington Information on Postmining Land Use Changes/Permit Transfer/Phase III Bond Release

Mr. Fielding - hopefully this information will help you understand the different processes involved for the permit transfer, a change in the postmining land use and Phase III bond release at Wellington.

Permit Transfer - R645-303-300

Alternative Postmining Land Use - R645-301-413.30 through R645-301-414.300

Administrative Procedures (including Public Participation/advertisements) - R645-300 et al-121

Phase III bond release - R645-301-880.100

Liability Insurance - R645-301-890

If you have any questions, please call me at 801-538-5268.

Pam